

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

(ROANOKE DIVISION)

UNITED STATES OF AMERICA, ET AL.,)	
)	
Plaintiffs,)	
)	Civil Action No. 7:16-cv-00462-GEC
v.)	
)	
SOUTHERN COAL CORPORATION, ET AL.,)	
)	
Defendants.)	
)	
)	

**THE UNITED STATES' UNOPPOSED MOTION
TO ENTER THE CONSENT DECREE**

On September 30, 2016, the United States, on behalf of the United States Environmental Protection Agency ("EPA"), lodged with this Court a proposed Consent Decree in the above-captioned action (Case 7:16-cv-00462-GEC Document 2-1 through Document 2-7 pageid#s 92-930). The proposed Consent Decree resolves all claims alleged by the United States, the State of Alabama, the Commonwealth of Kentucky, the State of Tennessee, and the Commonwealth of Virginia in the Complaint filed in this action against Southern Coal Corporation, *et al.* for violations of the Clean Water Act. A thirty-day public notice and comment period has now passed, during which one comment was received. *See* United States' Memorandum in Support of its Unopposed Motion to Enter the Consent Decree, Attachment A (comment letter), filed concurrently with this motion.

As the proposed Consent Decree is fair, reasonable, and consistent with the purposes of the Clean Water Act ("CWA"), the United States hereby requests that the Court approve and sign

the Consent Decree lodged on September 30th, and enter it as the final judgement in this action.

All parties support entry of the Consent Decree.

Respectfully submitted,

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